

FRIDAY, January 31, 1848.

THE PRESIDENT AND CONGRESS.

The loud complaints about the attempts of Congress to strip the President of his constitutional powers give rise to the appropriate inquiry, what these powers are. They are well defined in the instrument itself, which aims at keeping each department of the government to its distinct and peculiar function without encroaching upon those of any other department. Congress is the law-making body. The President is a mere executive officer. In its place he is neither inferior nor superior to Congress, but is on an equality with it. In case of violation of law, he is to be adjudged by Congress, a court of impeachment, and can be deposed from office; while he has no power to make or unmake the legislature or to decide any question relating to its members. The oath he takes binds him to take care of the Constitution and the execution of the laws.

One of our correspondents, replying to a recent communication, properly takes the ground that Congress can take away from the President every power except those expressly given him by the Constitution, if it be necessary to the preservation of the government and the security of the people's rights.

Another correspondent calls upon the legislative body to provide against the contingencies of misgovernment, as in the case of Buchanan who, at the breaking out of the rebellion, was too inept to adopt any measures to protect the government; or in case of insanity or drunkenness of the President which would be a source of imminent danger to the Republic. He demands that Congress, among other sets should provide for its own assembling to take the helm of government in case of an emergency.

These views commend themselves to the common sense of the people, and are but the result of developments in the progress of our history. They are also confirmed by the views of the most eminent members of Congress, as brought to light in the debates now taking place. The right of Congress as the representative of the people in the government, to carry out the popular will, would scarcely have been questioned did it not conflict with the wishes of those who would give the administration of the late rebel States into the hands of the rebels themselves.

In the discussion of the new Reconstruction bill Hon. Thomas A. Jencks gave as a reason for supporting that measure, the fact that it asserts and endorses the authority of Congress over the subject of reconstruction. He says it is intended to show that no one membran to the laws of the Republic shall stand in the way of the execution of those laws; that it is the purpose of Congress to perform the clear duty that has fallen upon it. In referring to the question of Congressional authority and the President's opposition, he says:

"Even though he be the Commander-in-Chief of the Army, yet he is subject to the laws which regulate the Army. The power to raise and support armies resides but not elsewhere. The constitution of those armies and the regulations by which they shall be governed emanate from these halls, not from the office of the General of the Army or of the Commander-in-Chief. The purpose for which these armies may be used is to be decided by Congress."

These doctrines are consistent with the American theory of republican government, and they will stand as long as the Republic endures. When they go down comes despotism or anarchy.

Rev. Newman Hall gave an account of his visit to America a few nights ago, in Mr. Spurgeon's Tabernacle in London. In the course of his remarks he referred to a breakfast with Mr. Robert Lincoln, and repeated his own remark that if his companion had been in England he would have been Prince Robert. We quote from the report:

"His reply was, 'I know my father's election would make no difference to me, I must work for my living,' and so he is in his profession of a solicitor, except I should find that he had been fighting under General Grant. Mr. Hall added after the Queen's letter to Mrs. Lincoln. 'Yes,' said he, 'we have been asked often about that letter—we have been asked to publish it. But it is a long letter of three pages, the outgoing of a zealous woman's heart, and my mother and myself thought it would not be right to publish it.'

FALL OF MOUNT VESUVIUS.—The New York *Herald* has the following dispatch dated Jan. 21st:—The eruption of Mount Vesuvius, which was continued with greater or less intensity since its occurrence in the past year, has culminated, if I may term it, in an unusual and very fatal catastrophe. Monday evening, 28th, just before the side of Mount Vesuvius lying right opposite to the gate of Castel Nuovo, one of the fortifications of the city, situated between the Royal Palace and the sea, fell tumbling outward. The detached portion buried several houses built in the vicinity and overwhelmed carriages and other conveyances passing on the highway at that moment. The scene is melancholy and full of ruin. The road running in the neighborhood of the volcano is filled with rocks and earth which had lately formed part of the mountain. This extraordinary event has also been attended with considerable loss of life, but the number of persons killed has not yet been ascertained.

Apropos of the Fujian business, an anecdote is exchanged of Commodore Babcock at Jeddo Bay, in 1846. One day he attempted to visit a Japanese junk, but as he clambered over her bulwarks a scurvy pushed him back into his gig. The Commodore returned in a rage to his ship, and sent a petulant demand for an apology and indemnity for the insult. Within a quarter of an hour came back an answer that the scurvy had acted without orders, and that his head had been promptly cut off, and was now at the service of the Commodore.

The Little Rock (Arkansas) Republicans chafed the assassination of several prominent physicians in that State, who have fallen victims to the hate and revenge engendered by the rebellion.

GENERAL ASSEMBLY.

JANUARY SESSION AT PROVIDENCE.

THURSDAY, Jan. 30.

SENATE.

The Senate met at 11 o'clock, His Honor the Lieutenant Governor in the chair. Mr. Corry, from the Committee on the Judiciary, reported back a resolution to constitute a joint committee relative to the transfer of the Bar Library to the State and Messrs. Hazard and Kenyon were appointed to such committee.

Several petitions for change of name were granted.

The Senate adjourned till Friday morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

The House met at 10:12 o'clock, Mr. Speaker Van Zandt in the chair.

Mr. Sheffield of Newport, called from the table the resolution offered yesterday, empowering the committee on the State Auditor's accounts to refer the matters in dispute to arbitration. The question came up on the amendment of Judge Greene to refer the matter to the judges of the Supreme Court.

Mr. Sheffield said that he hoped the amendment would not prevail. The committee have had a long and arduous consideration of the matter, and have agreed upon this reference. The question is whether the General Assembly will endorse the action of that committee; or refusing to endorse their action, will virtually say that the committee have acted unwisely in the matter. He hoped the original motion would prevail.

Mr. Gardner said that having investigated this question somewhat, since yesterday, he had come to the conclusion that the resolution with the proposed amendment ought not to pass. He had no doubt that that committee acted with this view and in good faith, and proceeded upon this thankless task with a desire to do everything they were instructed to do under the resolution, and still further to see what settlement could be made of this troublesome question. But there is nothing in this resolution appointing a committee which authorized them to take any steps towards settling this defect. The resolution was simply a resolution of inquiry late the manner of keeping the accounts of the Auditor.

The Speaker said that in his remarks yesterday he understood that a suit against the Bank had been commenced, that the committee instructed the Attorney General to institute proceedings and supposed that it had been done. He had since been informed by the Attorney General that owing to technical reasons of importance, the suit had been discontinued.

Mr. Weston said that he had the pledge of the President of the bank to agree to a reference of this matter to an arbitration under a rule of the Supreme Court.

Judge Greene said that the first question was whether we had a clear title in law to that money. We have the opinion of the Attorney General that the claim of the State against the National Bank of North America is clear, legal, just and valid. As agents of the people for recovering this claim, it is the duty of the Assembly to resort to the most effective means for that purpose. Having a good claim, we may safely refer it to the Judges of the Supreme Court.

Mr. Davis of North Providence, opposed the amendment. He thought this discussion was started for the purpose of making lame-duck speeches. The lawyers have disagreed on this matter, and it was his opinion that it would be more to the interest of this State to refer the matter to business men than to any lawyers, even the Judges of the Supreme Court.

Mr. Gardner offered as an amendment the following resolution, which was adopted:

Resolved, That the National Bank of North America is legally liable to the State of Rhode Island for the amount, with interest, of all unpaid and forged orders of the State Auditor charged in the accounts of said bank with said State.

Resolved, That the Attorney General, acting under the advice of a special committee, and he is hereby directed forthwith to institute a suit in the Supreme Court against said bank for the recovery of the orders so charged; and that he have full power and authority in behalf of the State, in his discretion, to enter into a rule of said court to refer such suit to the decision of one or more referees.

Messrs. Van Zandt, Barstow, Weston and Perry, were appointed under the above resolution, the committee on the part of the House.

Mr. Barstow offered the following resolution, which was adopted:

Resolved, That the General Treasurer be and he is hereby directed to report to this Assembly under what contract the public monies were deposited in the National Bank of North America, when this contract was made, what rates of interest are allowed, and charged, whether these allowances and charges are made upon early or monthly balances; and also, acting under the advice of the chairman of the Senate and House committees on finance, whether any better arrangement can be made with that or any other bank as a depository of the State for the year to come.

Mr. Sheffield presented the petition of Mr. Hale, Abridge Church, for leave to sell real estate. Referred to the committee on judiciary.

On motion of Mr. Davis of Newport, the House adjourned till 10:30 a.m. to-morrow at 10:12 o'clock.

Mr. Edward Thornton, the newly-appointed British minister to Washington, arrived in New York Monday on the steamer Siberia. His last active services were as minister to Brazil, though previous to the vacancy caused by the death of Sir Frederick Bruce he had been off at a similar office at Lisbon. He has had long experience in the diplomatic service, principally at distant posts, and it is recited in his favor that, with no influence to back him, he has regularly received promotion from a succession of foreign secretaries of different politics.

Ohio proposes, after a trial of usury laws, to go back to its former system of free trade in money.

White gunpowder which is entirely consumed and leaves no residuum is the latest military improvement in France.

Silk culture is very successful at the Cape of Good Hope.

Capt. Alexander, the humane keeper of Castle Thunder, keeps a gin shop in Liverpool.

A Roman Medal of the reign of Trajan has been found by an Indian near Mackinaw, Michigan, but it is not inferred that the Roman Army ever quartered in that State.

The Southern Democrats are said generally to prefer Pendleton to General Harlan as a Presidential candidate. They now say a New Orleans correspondent, "they never will vote for a man who wears the listed uniform of a black-hearted and treacherous people who are crushing us, and driving us into the dust!"

ABOUT HOME.

New Lodge of Good Templars.—Last evening, G. W. G. T. Beny, of Westerly, was present at South Providence, accompanied by several members of Howard Lodge, of East Providence, some of whom were natives of Portsmouth, and instituted a Lodge of the order of Good Templars.—There were twenty-six charter members whose names were affixed to that instrument, but only nineteen presented themselves last evening for initiation. The Lodge instituted is to be known as Fane Lodge, No. 27, 1. O. & G. T.

The initiation, installation and installation service took place in the spacious hall of the Tea House Hotel, and with the addition of some sixty members of Eureka Lodge, of Newport, whom Mr. John West, conveyed thither in two of his commodious "big sleighs," the hall was well filled and the service were of a highly interesting character throughout.

The following are the officers installed over the new Lodge:

W. G. T.—George L. Potter.
R. H. S.—Elizabeth Potter.
J. H. S.—Ann Lizzie Davie.
W. V. T.—Marietta Miller.
W. S.—Christopher G. Alpio.
A. S.—Lydia W. Manchester.
W. F. S.—Alfred Manchester.
W. T.—Robert W. Anthony.
W. C.—Peter William Miller.
W. M.—Parker Sherman.
A. M.—Anna S. Carr.
L. G.—Cordelia Holman.
O. G.—Chas. C. Carr.

The Rev. Mr. Miller was elected a delegate to the Grand Lodge.

At the close of the installation ceremony, speeches were made by the G. W. C., T., by the Rev. Mr. Miller, of Portsmouth, and Messrs. Pearce, Young and Sheriff, of Eureka Lodge, of Newport, and then, after slaying a parting ode, the Newport visitors embarked on board their coaches and a merry and truly happy party, returned home to the "tinkling and the jingling of the bells, bells, bells," favored by most excellent sleighing, a snuffing oil, very moon, a starry scintillating sky, and not a cold atmosphere. Verily, it was a good time, but as we hope, only a foretaste of the "good time coming" for the noble and enabling cause of Temperance in our own city and throughout the land.

Mr. Weston said that he had the pledge of the President of the bank to agree to a reference of this matter to an arbitration under a rule of the Supreme Court.

Mr. Davis of North Providence, opposed the amendment. He thought this discussion was started for the purpose of making lame-duck speeches. The lawyers have disagreed on this matter, and it was his opinion that it would be more to the interest of this State to refer the matter to business men than to any lawyers, even the Judges of the Supreme Court.

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The Providence *Herald* yesterday published, as an original communication to that paper, a letter relative to the claims of the soldiers of 1812, which was originally published in the *Daily News* of Jan. 14th. The only change is in the address to that paper instead of this.

Nice, Vt.—There is a man in our city who thinks a man cannot consistently belong to a base ball club and the church at the same time. He is supposed to be a cousin of the man who would not eat turkeys because they grew on Sundays.

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We are informed that M. Du Chaillu, the celebrated African explorer, will give a lecture at the Academy of Music next week.

For sale of boats and ships see advertisement of T. Munford Seafarer.

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From the Standard, we learn that the number of births in New Bedford during the past year was 452; number of marriages 360; number of deaths 429. Consumption and scrofulosis were the most fatal diseases.

LITERARY NOTICES.

The Northern Monthly has reached the fourth number of its second volume. It presents a good appearance and is well worthy of the patronage it has received. Its contents are of an interesting and valuable character and the magazine is entirely suitable to the family circle, as it contains nothing but can be safely introduced there. In the February number are articles on "The Thief in the Night," "The Metropolitan Philp," "History of the English Language," Maj. Gen. Philip Kearney, and others of similar character and tone. It is published by the New Jersey Literary Union at 37 Park Row, N. Y., and 218 Broad Street, Newark.

They have embodied a new idea and a good one, at Brattleboro, Vermont, in a new publication entitled *The Household*. It is published by Milliken & Crowell, at one dollar a year, in newspaper form, 16 pages, and devoted to the American Louveteau. It can be had for 10 cents.

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The New York Teacher and Educational Monthly for February has articles entitled "The Co-Education of the Sexes," "Principles of Grammatical Criticism," "Aptitudes in Teaching," "The Smith Family," "Inner Life of Reform Schools," "King's College," "Giving Joy to a Child," and several others on various topics.

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NEW ADVERTISEMENTS

Notice.

Another Lot of that

CHEAP NOTE PAPER,

9 and 10 Cents Per Quire.

10 quires for 75 cts. 10 quires for 95 cts.

Publications of the American Tract Society.

The Pocket Bible with Notes, Instructional Maps and Tables, in 3 volumes, \$2.

Manual of the Lord's Supper, red edge, 70 cts.

Hymns of Happy Voices, 40 cts.

D'Angelet's History of the Reformation, 5 volumes, 18mo., \$5.50.

Hours with Manina, \$2.10.

Anecdote for the Family Circle, 18mo., 75 cts.

Dictionary of the Holy Bible, illustrated, \$1.10.

Webster's New 30 cts.

Bible Almanac, \$1.

Cronaca Concordance, \$1.00.

Javette Library, 5 vols., \$1.60.

My Little Library, 16 vols., \$1.50.

Yesterdays Bibles, 6 vols., 75 engravings, \$2.50.

Decorated made to Sabbath Schools.

WARD, Agent,

130 Thames Street.

Foreign Exchange.

SIGHT DRAFTS ON

LONDON, BERLIN,

PARIS,

Forwards by mail

HENRY BULL & CO.

THE STANDARD METHOD OF INSTRUCTION IN VOCAL MUSIC.

BASSINI'S ART OF SINGING!

An Analytical, Physiological and Practical System for the

CULTIVATION OF THE VOICE.

By CARLO BASSINI.

Bassini's Art of Singing.

This work is one of the greatest excellencies as a system of Vocal and Scientific Instruction in the art of Vocalization. To say that as a book of this kind it has no superior, would be to award it a just and fair justice, since the best judges of the world in this field readily admit that it has no equal.

Prices of Bassini's Method.

Complete.....\$1.60

Abridged.....\$1.30

Bassini's Method for Tenor Voice.

Comprising all the excellent features of the above

Method for Soprano. Price \$4.60.

Copies will be sent by mail, postpaid, on receipt of price.

OLIVER DITSON & CO., Publishers, 277 Washington Street, Boston.

Jan 1st

Prints,

Prints,

1700 Yards

Remnants of Dunnell's Prints,

JAMES H. HAMMETT,

98 Thames-Street.

Jan 1st

Boots & Shoes.

February Sales.

MAY ANNUAL SALE OF SHOPWORN BOOTS & SHOES

WILL COMMENCE

Monday, February 3d, 1868.

T. MUMFORD SEABURY,

131 Thames Street.

Jan 1st

LADIES DOUBLE SOLE CONGRESS GAITERS, reduced in price to \$1.50 per pair, at J. M. SWAN'S.

GENTS RIP TOP SOLE BOOTS, reduced in price to \$4.25 per pair, at J. M. SWAN'S.

Prices Reduced

OUR LADIES STOCK OF ROOTS, SHOES AND PUFFERS, at No. 109 Thames street, by JOHN M. SWAN.

Dry Hop Yeast,

A FRESH SUPPLY just received at wholesale prices, and ready for sale, CORNELL & CO., 17 & 19 Broad-street.

Clothing,

Hats and Caps,

TIERS,

SCARFS,

Shirts,

Collars,

Gloves,

Hosiery,

SUSPENDERS & HANDKERCHIEFS,

Also, STACEY'S CAPE ANN OIL CLOTH,

INC.

C. S. CLARKE, Agent,

139 Thames Cor. Hill Street.

Jan 1st

Notice.

SUBSCRIPTIONS FOR TICKETS TO THE SINGING SCHOOL, who have not paid, will obligate by deposit, the sum due. They may be bound at T. W. WOOD'S, 108 Thames Street, PULLMAN'S, 110 Broad-street, or Dr. S. G. TUCKER'S, 207 Thames Street. The record bill of the school commenced last Jan 1st.

Have You Seen that Dipper.

Notice.

ALL PERSONS buying

LOUNGEN

AND MATRASSES to make over, or

FURNITURE that needs repairing, will

Please send in their orders, as the subscribers have stated where they can attend to all orders of this kind.

Cottrell & Breyer,

130-132

THROUGH LINE COMPLETE IN 1870.

THE

Central Pacific Railroad

THE EAST AND PRINCIPAL PORTS OF THE

National Trunk Line Across the Continent

is being rapidly carried forward by an unprecedented

working force; and it is reasonably certain that the

CONTINUOUS OVERLAND MAIL ROUTE FROM NEW YORK TO SAN FRANCISCO WILL BE MADE IN 1870.

The United States Government furnishes, upon a

subordinate and contingent basis, half the money for

constructing the Main Stem Line; and besides an

absolute grant of 19,500 acres of valuable public

land per mile, the Central Pacific Railroad Company

has received from California sources, donations

and concessions worth more than \$3,000,000. The

available resources of this Company are therefore

abundant for the purpose, amounting to \$1,000,000

secured by a First Mortgage upon the whole property,

allow.

The results already attained, although under con-

siderably unfavorable circumstances, afford a strong

argument for believing the CENTRAL PACIFIC

will be the

Most Favoured, Productive, and Val-

uable Railroad Enterprise in the

Country.

The Company are now offering for sale, a limited

amount of their

First Mortgage Six Per Cent.

Bonds,

Principal and Interest Payable in Gold Coins,

In sums of \$1,000 each, at 6 per cent, of their par

value and accrued interest from January 1st, to cur-

rent.

These Bonds, it is believed, possess the elements

of safety, reliability and profit. In a greater degree,

than any other class of Corporate Securities now offered,

and are therefore very desirable for steady in-

vestments of capital.

Investors will bear in mind the following state-

ments:

I. They are the first mortgage on one of the most

valuable and productive lines of railroad in the

world.

II. The actual earnings from local business in 1861

were \$1,000,000, and the annual interest ex-

penditure \$100,000.

III. The hard part of the work is now done, and

the prospects of solid expansion are favorable.

IV. The Company have liberal subsidies, which

enable them to prosecute the work with great vigor.

V. The management has been exceedingly

prudent and frugal.

VI. There is already a large and growing accumu-

lation of the principal of issue and their

annual interest in favor of them, and their

activity and a high rank among standard securities.

At this time the yield nearly

reaches per cent.

New per Cent. upon the Investment.

Holders of Government Securities have an opportunity

of exchanging them for Central Pacific Bonds,

bearing an equal rate of interest, with the principal

absolutely secured, and realizing a profit of from

one to three per cent.

Orders sent with the funds through appropriate

Bankers or Express Companies will receive prompt at-

tention. Bonds sent by return Express, to pay ad-

dress. In the United States, at our cost. Information,

Descriptive Pamphlets, Maps, &c., 75 engravings, \$2.00

Decorated made to Sabbath Schools.

WARD, Agent,

130 Thames Street.

Jan 1st

LEGAL NOTICES.

National Exchange Bank of Newport.

No. 1, Jan 1st, 1868.

ANNUAL MEETING of the Stockholders

of this Bank, held today, the following

officers were elected Directors for the ensuing year, viz: H. R. Hazard, Jr., Wells Peckover,

John C. Branson, and Joseph Anthony,

Also, a Vice-President, H. H. Hazzard, Jr., was elected President.

D. W. Holloway, Cashier.

Jan 1st

In Bankruptcy.

Dartmouth, Jan. 1st, 1868.

At Providence, the 15th day of January, A. D. 1868.

THE NATIONAL BANK, holding its Annual Meeting at the 15th instant, voted to

elect the following Directors, and to re-elect the

same for the ensuing year, viz: H. R. Hazard, Jr., Wells Peckover,

John C. Branson, and Joseph Anthony.

Also, a Vice-President, H. H. Hazzard, Jr., was elected President.

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Jan 1st

ADMINISTRATORS' NOTICE.

THE ADMINISTRATORS duly appointed by the

Court of Probate, of the Estate of

John C. Branson, deceased, Esq., late of

Providence, deceased, late of Providence, Esq., late of

Providence, deceased, late

